

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9: -

Chapter

#0.00

PLEASE TAKE NOTE:

On September 13, 2023, Courtroom 201 in Santa Barbara (Northern Division) will be closed for maintenance. Appearances for matters may be made in-person in Courtroom 5D in the Santa Ana Division (at Ronald Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street, Santa Ana, California 92701).

Appearances for matters may also be made by video through ZoomGov, or by telephone through ZoomGov. If appearing through ZoomGov, parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below. All persons that choose to appear in person must comply with all applicable Centers for Disease Control and Prevention (CDC) guidelines regarding the wearing of face coverings and physical distancing inside and outside of the courtroom. Parties should not enter the courthouse when feeling unwell, if they have tested positive for COVID-19, or if they fall within the quarantine recommendations after having come into close contact with someone who has COVID 19.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

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Video/audio web address: <https://cacb.zoomgov.com/j/1609063689>

ZoomGov meeting number: **160 906 3689**

Password: **199059**

Telephone conference lines: **1 (669) 254 5252 or 1 (646) 828 7666**

Docket 0

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Tentative Ruling:

- NONE LISTED -

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Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:10-12334 Stephen V Andersen

Chapter 7

Adv#: 9:22-01035 Andersen et al v. Swick et al

#1.00 CONT'D Hearing
RE: [32] Motion For Sanctions/Disgorgement Pursuant to Federal Rule of
Bankruptcy Procedure 9011

FR. 5-3-23, 6-28-23, 7-26-23, 8-23-23

Docket 32

Tentative Ruling:

September 13, 2023

Appearances required.

Background

On March 3, 2023, Stephen V. and Rosalina Andersen (the "Andersens") filed *Plaintiffs' Motion for Sanctions Pursuant to Federal Rule of Bankruptcy Procedure 9011* (the "Motion"). See Docket No. 32. Through the Motion the Andersens seek monetary sanctions against Peak Foreclosure Services, Inc., Maryl Swick as Successor Trustee of the Kathryn S. Swick Trust Dated 5/4/2000 as Amended and Restated on 12/10/2009 and Reed H. Olmstead (collectively, the "Respondents") pursuant to Fed. R. Bankr. P. 9011 related to the Respondents' purported failure to amend certain responses to requests for admission and interrogatories. See *id.* On April 19, 2023, the Respondents filed that *Opposition to Plaintiffs' Motion for Sanctions Pursuant to Federal Rule of Bankruptcy Procedure 9011*, wherein the Respondents argue that the Motion is time barred due to its having been filed after the Court granted the *Motion to Dismiss for Failure to State A Claim Upon Which Relief Can Be Granted*. See Docket No. 53. Both the Andersens and the Respondents filed supplemental briefs on the question of timeliness of the Motion. See Docket Nos. 83 and 84.

Analysis

Fed. R. Bankr. P. 9011(b) provides that:

By presenting to the court [] a petition, pleading, written motion, or

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Stephen V Andersen

Chapter 7

other paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, (1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation; (2) the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; (3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; (4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

Fed. R. Bankr. P. 9011(d) provides that "[s]ubdivisions (a) through (c) of this rule do not apply to disclosures and discovery requests, responses, objections, and motions that are subject to the provisions of Rules 7026 through 7037." *See also In re Haubert*, 2008 WL 7950034 *2 (Bankr. S.D. Cal. 2008)("Sanctions for discovery disputes are covered by Rule 7037, and excepted from the Rule 9011 sanctioning authority under Rule 9011(d)."); *In re Fierro*, B.R. 403, 414 (Bankr. E.D.N.Y. 2020); *In re Pham*, 536 B.R. 424, 431-432 (9th Cir. BAP 2015).

Here, the Motion relates to the Respondents' purported failure to properly respond to discovery requests. Discovery responses, and motions to compel answers or more complete answers to discovery requests, are the proper subject of Fed. R. Bankr. P. 7030-7037. Fed. R. Bank. P. 9011 is the incorrect vehicle to obtain responses, or further responses to discovery in an adversary action.

The Motion is denied.

August 23, 2023

Appearances waived.

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CONT... Stephen V Andersen

Chapter 7

This matter is continued to September 13, 2023, at 10:00 a.m.

July 26, 2023

Appearances waived.

This matter is confined to August 23, 2023, at 10:00 a.m.

June 28, 2023

Appearances waived.

This matter is continued to July 26, 2023, at 10:00 a.m.

May 3, 2023

Appearances required.

Party Information

Debtor(s):

Stephen V Andersen

Represented By
John E Hinden
Edwin J Rambuski

Defendant(s):

Kathryn Swick

Represented By
Reed H Olmstead

Maryl Swick

Represented By
Reed H Olmstead

Maryl Swick

Represented By
Reed H Olmstead

Peak Foreclosure Services, Inc.

Represented By

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CONT... Stephen V Andersen

Chapter 7

Reed H Olmstead

Joint Debtor(s):

Rosalina Andersen

Represented By
John E Hinden
Edwin J Rambuski

Movant(s):

Stephen V Andersen

Represented By
Edwin J Rambuski

Rosalina Andersen

Represented By
Edwin J Rambuski

Plaintiff(s):

Stephen V Andersen

Represented By
Edwin J Rambuski

Rosalina Andersen

Represented By
Edwin J Rambuski

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 201

10:00 AM

9:17-11962 Kerre K Klaft

Chapter 7

Adv#: 9:23-01036 McBeth v. Klaft

#2.00 Status HearingRE: [1] Adversary case 9:23-ap-01036. Complaint by Sandra K. McBeth against Jeffrey Klaft. (\$350.00 Fee Charge To Estate). Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)) (Torres, Felicita)

Docket 1

Tentative Ruling:

September 13, 2023

Appearances required.

Pursuant to those *Adversary Proceeding Status Conference Procedures* (the "Procedures"), "[a] joint status report prepared using Local Form F_7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 2. "If a party does not cooperate in the preparation of a joint status report, the other party should follow the procedure set forth in this Court's Local Bankruptcy Rule 7016-1(a)(3) for filing unilateral status report." *Id.* "If a response to the complaint is not timely filed [n]o later than ten (10) days prior to the status conference, each appearing party must file a Unilateral Status Report [] as required by Local Bankruptcy Rule 7016-1(a)(3)." *Id.* "Failure to file a joint status report may result in the imposition of monetary sanctions and/or the status conference being continued." *Id.*

No joint or unilateral status reports have been filed by the plaintiff or defendant in this adversary proceeding as required by the Procedures. As this adversary proceeding appears to be abandoned, the Court will dismiss the adversary proceeding without prejudice for the failure of plaintiff to prosecute the matter. If the plaintiff desires that the adversary proceeding continue, the Court will continue the status conference to allow the plaintiff to comply with the Procedures, and will issue monetary sanctions for the failure to file a unilateral status report in conformance with the Procedures.

Party Information

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CONT... Kerre K Klaft

Chapter 7

Debtor(s):

Kerre K Klaft

Represented By
Brenda A Enderle

Defendant(s):

Jeffrey Klaft

Pro Se

Plaintiff(s):

Sandra K. McBeth

Represented By
Felicita A Torres

Trustee(s):

Sandra McBeth (TR)

Represented By
Joseph M Sholder

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9:20-11072 Valley Farm Supply, Inc.

Chapter 7

Adv#: 9:22-01048 Faith, Chapter 7 Trustee v. Brenntag Pacific, Inc.

#3.00 CONT'D Status Hearing

RE: [1] Adversary case 9:22-ap-01048. Complaint by Jeremy W. Faith, Chapter 7 Trustee against Brenntag Pacific, Inc.. (\$350.00 Fee Charge To Estate). Complaint for: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Disallowance of Claims [11 U.S.C. § 502]; (3) Recovery of Avoided Transfers [11 U.S.C. § 550]; and (4) Preserving Transfers [11 U.S.C. § 551] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (12 (Recovery of money/property - 547 preference)), (14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 1-11-23, 2-8-23, 5-3-23, 7-12-23

Docket 1

Tentative Ruling:

September 13, 2023

This matter is off calendar. The adversary proceeding has been closed. *See* Docket No. 20.

July 12, 2023

Appearances waived.

The Order granting Second Omnibus Motion for Order Authorizing the Trustee to Settle Certain Avoidance Claims Pursuant to F.R.B.P. 9019 was entered on June 28, 2023. *See* Case No. 9:20-bk-11072-RC, Docket No. 504. Based on statements made in the *Joint Status Report*, the Court will continue the status conference to September 13, 2023, at 10:00 a.m.

May 3, 2023

Appearances waived.

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CONT... Valley Farm Supply, Inc.

Chapter 7

The Court has reviewed the *Joint Status Report*. See Docket No. 15. It appears the matter has settled. The Court will continue the status conference to July 12, 2023, at 10:00 a.m., to allow the parties to obtain Court approval of the settlement.

February 8, 2023

Appearances waived.

In reviewing the *Joint Status Report*, it appears that the matter has settled, and the parties request a continuance of the status conference to allow the parties to memorialize the settlement for this Court's approval. See Docket No. 11.

The Court will continue the status conference to May 3, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Valley Farm Supply, Inc.

Represented By
William C Beall
Carissa N Horowitz

Defendant(s):

Brenntag Pacific, Inc.

Pro Se

Plaintiff(s):

Jeremy W. Faith, Chapter 7 Trustee

Represented By
Meghann A Triplett
Samuel Mushegh Boyamian

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Meghann A Triplett
Samuel Mushegh Boyamian

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9:20-11072 Valley Farm Supply, Inc.

Chapter 7

Adv#: 9:22-01055 Faith, Chapter 7 Trustee v. Bank of America, N.A.

#4.00 CONT'D Status Hearing

RE: [1] Adversary case 9:22-ap-01055. Complaint by Jeremy W. Faith, Chapter 7 Trustee against Bank of America, N.A.. (\$350.00 Fee Charge To Estate). Complaint For: (1) Avoidance Of Actual Fraudulent Transfers [11 U.S.C. 544(b)(1), 548(a)(1)(A), and Cal. Civ. Code §§ 3439.04(a)(1) and 3439.07]; (2) Avoidance Of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b)(1), 548(a)(1)(B), and Cal. Civ. Code §§ 3439.04(a)(2), 3439.05 and 3439.07]; (3) DISALLOWANCE OF CLAIMS [11 U.S.C. § 502]; (4) Recovery Of Avoided Transfers [11 U.S.C. § 550]; AND (5) Preserving Transfers [11 U.S.C. § 551] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 1-11-23, 2-8-23, 5-3-23, 7-12-23

Docket 1

***** VACATED *** REASON: Per stipulation entered 8/22/2023 dismissing adversary proceeding.**

Tentative Ruling:

July 12, 2023

Appearances waived.

The Order granting Second Omnibus Motion for Order Authorizing the Trustee to Settle Certain Avoidance Claims Pursuant to F.R.B.P. 9019 was entered on June 28, 2023. See Case No. 9:20-bk-11072-RC, Docket No. 504. Based on statements made in the *Joint Status Report*, the Court will continue the status conference to September 13, 2023, at 10:00 a.m.

May 3, 2023

Appearances waived.

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CONT... Valley Farm Supply, Inc.

Chapter 7

The Court has reviewed the *Joint Status Report*, and appears the matter has settled. *See* Docket No. 12. The Court will continue the status conference to July 12, 2023, at 10:00 a.m., to allow the parties to obtain Court approval of the settlement.

February 8, 2023

Appearances waived.

In reviewing the *Joint Status Report*, it appears the parties are working informally towards a potential settlement. *See* Docket No. 11. The parties are requesting that this Court order the matter to mediation, and that the status conference be continued 60 days. *Id.*

The Court will continue the status conference to May 3, 2023, at 10:00 a.m. The Court will not order this matter to mediation at this time. The Court will revisit any mediation request(s) at the continued status conference to the extent the matter has not settled by then.

Party Information

Debtor(s):

Valley Farm Supply, Inc.

Represented By
William C Beall
Carissa N Horowitz

Defendant(s):

Bank of America, N.A.

Represented By
Joseph M Crittenden

Plaintiff(s):

Jeremy W. Faith, Chapter 7 Trustee

Represented By
Meghann A Triplett
Samuel Mushegh Boyamian

Trustee(s):

Jeremy W. Faith (TR)

Represented By

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CONT... Valley Farm Supply, Inc.

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Meghann A Triplett
Samuel Mushegh Boyamian

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10:00 AM

9:21-11008 Loren Nauta

Chapter 13

Adv#: 9:22-01032 Nauta v. Murphy

#5.00 CONT'D Status Hearing
RE: [1] Adversary case 9:22-ap-01032. Notice of Removal by Loren Nauta.
Nature of Suit: (01 (Determination of removed claim or cause)), (72 (Injunctive relief - other)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))) (Kwasigroch, Michael)

FR. 8-24-22, 11-9-22, 12-14-22, 1-25-23, 2-22-23, 4-5-23, 5-3-23, 6-14-23,
7-12-23, 8-23-23

Docket 1

Tentative Ruling:

September 13, 2023

Appearances waived.

The Court having ruled on all pending matters will now close this adversary proceeding. The status conference is off calendar.

August 23, 2023

Appearances waived.

The Declaration of Michael D. Kwasigroch Regarding Compliance with All State Court Orders and Status of State Court Case (the "Report") was filed on August 22, 2023. See Docket No. 85. The Court has not had an opportunity to review the Report, but notices that its final request is that the Court vacate its *Order to Show Cause*. The Court is not vacating its *Order to Show Cause*, and is in-fact in the midst of drafting a thorough ruling on the *Order to Show Cause*. This matter is continued to September 13, 2023, at 10:00 a.m.

July 12, 2023

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**CONT... Loren Nauta
Appearances waived.**

Chapter 13

The status conference is continued to August 23, 2023 at 10:00 a.m. for a ruling on the *Order to Show Cause*.

June 14, 2023

Appearances waived.

This matter is continued to July 12, 2023, at 10:00 a.m.

May 3, 2023

Appearances waived.

This matter is continued to June 14, 2023, at 10:00 a.m.

April 5, 2023

Appearances waived.

This matter is continued to May 2, 2023

January 25, 2023

Appearances waived.

This matter is continued a final time to February 22, 2023, at 10:00 a.m.

December 14, 2022

Appearances are waived.

This matter is continued to January 25, 2023, at 10:00 a.m.

November 9, 2022

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CONT... Loren Nauta

Chapter 13

No appearances required.

This matter is continued to December 14, 2022, at 10:00 a.m.

Party Information

Debtor(s):

Loren Nauta

Represented By
Michael D Kwasigroch

Defendant(s):

Susan Murphy

Represented By
James D. Hornbuckle
Susan M Murphy

Plaintiff(s):

Loren Nauta

Represented By
Michael D Kwasigroch

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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9:22-10469 Jon Travis Burnett

Chapter 7

Adv#: 9:23-01006 Namba v. Burnett et al

#6.00 CONT'D Hearing
RE: [26] Motion to Dismiss Adversary Proceeding Defendants Notice Of Motion
And Motion To Dismiss Second Amended Complaint To Deny Discharge,
Recover Avoidable Transfer, And For Turnover; Request For Judicial Notice
[FRBP RULE 12(b)(6), FRE RULE 201] (with Proof of Service)

FR. 7-12-23, 8-23-23

Docket 26

Tentative Ruling:

September 13, 2023

Appearances required.

On March 14, 2023, Jerry Namba, Chapter 7 Trustee (the "Trustee") filed against Jon T. Burnett (the "Debtor") and Burnett Financial Services, Inc. (the "Corporation," and collectively with the Debtor, the "Defendants") that *Amended Complaint to Deny Discharge, Recover Avoidable Transfer, and for Turnover* (the "Amended Complaint"). See Docket No. 4. On March 28, 2023, the Defendants filed *Defendants' Motion to Dismiss Amended Complaint to Deny Discharge, Recover Avoidable Transfer, and for Turnover; To Strike Request for Attorney Fees; Points and Authorities; Declarations in Support [FRBP Rule 12(b)(6)]* (the "First Motion to Dismiss"). See Docket No. 9. On May 17, 2023, the Court issued a tentative ruling (the "Ruling") on the First Motion to Dismiss, and on May 22, 2023, the Court entered that *Order Granting in Part and Denying in Part Defendants' Motion to Dismiss Amended Complaint to Deny Discharge, Recover Avoidable Transfer, and for Turnover; to Strike Request for Attorney Fees [FRBP Rule 12(b)(6)]* (the "Order"). See Docket No. 23. The Order granted the First Motion to Dismiss as it related to the First Claim for Relief of the Amended Complaint and the request that the prayer of the Amended Complaint strike the request for attorneys' fees. See *id.* at p. 2. "[A]ll other requests for relief made in the [Motion to Dismiss were] denied without

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prejudice." *See id.* The Order granted the Trustee leave to file an amended complaint. *See id.*

On May 26, 2023, the Trustee filed against the Defendants that *Second Amended Complaint to Deny Discharge, Recover Avoidable Transfer, and for Turnover* (the "Second Amended Complaint"). *See* Docket No. 25. The Amended Complaint and the Second Amended Complaint are materially similar. The difference between the two (2) complaints appears to be the addition of two (2) causes of action in the Second Amended Complaint. Specifically, whereas the Amended Complaint pled as the First Claim for Relief a denial of discharge pursuant to 11 U.S.C. § 727 generally, the Second Amended Complaint pleads three (3) separate claims for relief under 11 U.S.C. § 727 (i.e., First Claim for Relief (Denial of Discharge, 11 U.S.C. § 727(a)(2)) and Second and Third Claim for Relief (Denial of Discharge, 11 U.S.C. § 727(a)(4) (A) and (D)). *See* Docket No. 4, pp. 4-5 and Docket No. 25, pp. 5-6. On June 16, 2023, the Defendants filed *Defendants' Motion to Dismiss Second Amended Complaint to Deny Discharge, Recover Avoidable Transfer, and for Turnover; Request for Judicial Notice [FRBP Rule 12(b)(6), FRE Rule 201]* (the "Second Motion to Dismiss"). *See* Docket No. 26.

The Second Motion to Dismiss largely mirrors the First Motion to Dismiss. The Court here adopts the Ruling insofar as it addresses the issues raised in the Second Motion to Dismiss.

The Defendants again raise the issue of the Corporation's recent rehabilitation as a corporate entity in good standing with Secretary of State, and how that rehabilitation defeats claims based on the Corporation's prior standing with the Secretary of State. *See* Docket No. 26, pp. 18-20. Once more, the Trustee is arguing that the deposits into the Corporation's bank accounts was being done solely to conceal the Debtor's money from creditors of the Debtor. The Trustee is arguing that the Corporation's status as a corporation that was not in good standing at the time of all these alleged transfers demonstrates that these alleged transfers were not the Corporation's money, because the Corporation was a defunct business. The Defendants are arguing that the Corporation is now in good standing, and therefore any of the alleged fraudulent transfers are no longer fraudulent. That simply is not the argument made in the Second Amended Complaint, and it is not the law.

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CONT... Jon Travis Burnett

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The Defendants argue that "[a]ll assets and contracts of [the Corporation] are lawfully the property of [the Corporation] and not the chapter 7 bankruptcy estate." *See* Docket No. 26, p. 21, lines 14-16. The Second Amended Complaint provides that "the Debtor deposited income for his personal services into the Corporation Bank Account." *See* Docket No. 25, p. 3, lines 11-13. This "income of at least \$150,000," argues the Trustee, constitutes a fraudulent transfer. This sort of transfer is precisely what 11 U.S.C. § 548 addresses. That is, "[t]he trustee may avoid any transfer [] of an interest of the debtor in property [] that was made [] within 2 years before the date of the filing of the petition, if the debtor voluntarily or involuntarily made such transfer [] with actual intent to hinder, delay, or defraud any entity to which the debtor was or became, on or after the date that such transfer was made [] indebted." 11 U.S.C. § 548(a)(1)(A). The whole point of the fraudulent transfer statute is to avoid for the benefit of the bankruptcy estate transfers that are based in fraud. By definition, those avoided transfers are of property that absent 11 U.S.C. § 548 would not be property of the bankruptcy estate. Using the Defendants' logic, so long as assets are transferred to non-debtors they do not constitute assets of the estate, and so no cause of action exists regarding those assets. That reasoning is counter to the law.

The Defendants argue that "[t]he Second Amended Complaint, to the extent it seeks to recover exempt property must be dismissed, as [the Trustee] has not [sic] right to exempted property to which there were no objections filed." *See* Docket No. 26, p. 26, lines 24-27. The Second Amended Complaint in the Fourth Claim for Relief prays for a judgment requiring the turnover of the Debtor's post-petition receipt of \$21,000 for monies he received related to pre-petition services he rendered, and \$2,800 related to a divorce order. *See* Docket No. 4, p. 6, lines 22-24. The Second Amended Complaint also prays for a judgment requiring the turnover of more than \$150,000 the Debtor deposited into the Corporation's bank accounts pre-petition. *See id.* at p. 7, lines 1-3. The Defendants' argument is that the Corporation's bank balances on the petition date have been fully exempted. Taking the allegations in the Second Amended Complaint as true, the transfers complained of, at least in excess of the Corporation's bank account balances on the petition date, have been long spent, withdrawn, or transferred elsewhere. The Trustee is complaining about the more than \$150,000 in transfers by the Debtor to the Corporation, and post-petition transfers to the Debtor. Those alleged transfers do not constitute exempt property. The alleged transfers from the Debtor to the Corporation pre-petition, at least outside of the

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CONT... Jon Travis Burnett

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amounts in the bank accounts on the petition date, were purportedly voluntary fraudulent transfers, and so are not subject to exemption by the Debtor. *See In re Trujillo*, 215 B.R. 200, 205 (9th Cir. BAP 1997). Further, the Debtor's *Schedule C* does not exempt the alleged post-petition transfers or the more than \$150,000 in transfers between the Debtor and the Corporation pre-petition. *See* Docket No. 51, *Schedule C*.

The Defendants will have an opportunity to present their defenses to the Second Amended Complaint. Here, however, through a motion to dismiss a complaint pursuant to Fed. R Bankr. P. 12(b)(6), the Court will deny the Motion. The Trustee is to upload a conforming order within 7 days, and the Defendants will have 14 days from the entry by the Court of said order to file an answer to the Second Amended Complaint.

August 23, 2023

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Jon Travis Burnett

Represented By
Louis J Esbin

Defendant(s):

Jon Travis Burnett

Represented By
Louis J Esbin

Burnett Financial Services, Inc.

Represented By
Louis J Esbin

Movant(s):

Jon Travis Burnett

Represented By
Louis J Esbin

Burnett Financial Services, Inc.

Represented By

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CONT... Jon Travis Burnett

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Louis J Esbin

Plaintiff(s):

Jerry Namba

Represented By
Carissa N Horowitz

Trustee(s):

Jerry Namba (TR)

Represented By
Carissa N Horowitz
William C Beall

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9:22-10469 Jon Travis Burnett

Chapter 7

Adv#: 9:23-01006 Namba v. Burnett et al

#7.00 CONT'D Status Hearing

RE: [1] Adversary case 9:23-ap-01006. Complaint by Jerry Namba against Jon Travis Burnett, Burnett Financial Services, Inc.. (\$350.00 Fee Charge To Estate). Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)), (13 (Recovery of money/property - 548 fraudulent transfer)), (41 (Objection / revocation of discharge - 727(c),(d),(e))), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))) (Horowitz, Carissa)

FR. 4-19-23, 5-17-23, 7-26-23, 8-23-23

Docket 1

Tentative Ruling:

September 13, 2023

Appearances required.

The Court will set the following deadlines and dates:

Continued Status Conference – December 13, 2023, at 10:00 a.m.

Discovery Cutoff, including the last day to receive responses – December 29, 2023.

Deadline for Dispositive Motions to be Heard – January 24, 2024, at 10:00 a.m.

Deadline to file Pretrial Stipulation and Proposed Order – February 20, 2024

Pretrial Conference (in-person) – March 6, 2024, at 10:00 a.m.

Trial – March 21, 2024, at 9:00 a.m.

The Trustee is to lodge a scheduling order within 7 days.

August 23, 2023

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Jon Travis Burnett

Chapter 7

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

July 26, 2023

Appearances waived.

The status conference is continued to August 23, 2023, at 10:00 a.m.

May 17, 2023

Appearances required.

April 19, 2023

Appearances waived.

Defendants Jon Travis Burnett and Burnett Financial Services, Inc. filed *Defendants' Motion to Dismiss Amended Complaint to Deny Discharge, Recover Avoidable Transfer and for Turnover* (the "Motion to Dismiss") on March 28, 2023. *See* Docket No. 9. The Motion to Dismiss has not been properly noticed. *See* Docket No. 13. The Court will continue the status conference to May 17, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Jon Travis Burnett

Represented By
Louis J Esbin

Defendant(s):

Jon Travis Burnett

Pro Se

Burnett Financial Services, Inc.

Pro Se

Plaintiff(s):

Jerry Namba

Represented By

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Jon Travis Burnett

Chapter 7

Carissa N Horowitz

Trustee(s):

Jerry Namba (TR)

Represented By
Carissa N Horowitz

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:22-10569 Epifanio R Cepeda

Chapter 7

Adv#: 9:22-01047 Garl v. Cepeda et al

#8.00 CONT'D Status Hearing
RE: [1] Adversary case 9:22-ap-01047. Complaint by Keith Garl against Epifanio R Cepeda. willful and malicious injury)) (Lewi, Christopher)
FR. 1-11-23, 2-22-23, 4-5-23, 6-14-23, 7-12-23, 7-26-23

AND

Status Hearing

RE: [13] Document Filed by Defendant Epifanio R Cepeda. Titled: Counterclaim by Epifanio R Cepeda against Keith Garl , Crossclaim by Epifanio R Cepeda against Jeremy W. Faith (TR) (Counterclaim and Crossclaim for Damages and Equitable Relief)

Docket 1

Tentative Ruling:

September 13, 2023

Appearances required.

Should this matter now be closed?

July 26, 2023

Appearances required.

It appears that the *Motion to (1) Approve Global Settlement Between Chapter 7 Trustee, Debtor, and Creditor Keith Garl; (2) Approve Administrative Expenses and Fees; and (3) Establish Conditions for Dismissal of Bankruptcy Case* resolves this matter.

July 12, 2023

Appearances waived.

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Epifanio R Cepeda

Chapter 7

The Motion to (1) Approve Global Settlement Between Chapter 7 Trustee, Debtor, and Creditor Keith Garl; (2) Approve Administrative Expenses and Fees; and (3) Establish Conditions for Dismissal of Bankruptcy Case is to be heard by the Court on or before July 25, 2023. See Case No. 9:22-bk-10569-RC, Docket No. 53. The Court will continue the status conference to July 26, 2023, at 10:00 a.m.

June 14, 2023

Appearances waived.

That *Motion to (1) Approve Global Settlement Between Chapter 7 Trustee, Debtor, and Creditor Keith Garl; (2) Approve Administrative Expenses and Fees; and (3) Establish Conditions for Dismissal of Bankruptcy Case* is set for hearing on June 27, 2023, which, if approved, will resolve the adversary proceeding. The status conference is continued to July 12, 2023, at 10:00 a.m.

April 5, 2023

Appearances required.

On January 23, 2023, the Court entered that *Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator*. See Docket No. 17. Has the matter already been mediated?

February 22, 2023

Appearances required.

On January 11, 2023, the Court continued the status conference to February 22, 2023, and ordered the parties to submit a status report regarding the parties' thoughts as to assignment of the matter to mediation. On January 23, 2023, the Court entered that *Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator*. See Docket No. 17. The Court will inquire about the timing of mediation.

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

**CONT... Epifanio R Cepeda
January 11, 2023**

Chapter 7

Appearance required.

The Court entered that *Order Setting Aside Default*, whereby, *inter alia*, Defendant's responsive pleading to the Complaint is due on or before January 10, 2023. *See* Docket No. 11.

The Court intends on setting a discovery cutoff date, and will hear from the parties on a proposed date.

Party Information

Debtor(s):

Epifanio R Cepeda

Represented By
Jerry Namba

Defendant(s):

Epifanio R Cepeda

Represented By
Jerry Namba

Plaintiff(s):

Keith Garl

Represented By
Christopher C Lewi

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:22-10934 Bonita T. Moore

Chapter 13

Adv#: 9:23-01019 Moore v. Bruetsch et al

#9.00 CONT'D Hearing
RE: [7] Motion to Dismiss Adversary Proceeding (Weber, Edward)

FR. 8-23-23

Docket 7

Tentative Ruling:

August 23, 2023

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Bonita T. Moore

Represented By
Nathan A Berneman

Defendant(s):

Wayne Kim

Represented By
Matthew D. Resnik

Karen J Wyman

Represented By
Edward T Weber

Timothy J Wyman

Represented By
Edward T Weber

Vark Investments, LLC

Represented By
Edward T Weber

DOES 1-10

Pro Se

Joelynn Warner

Represented By
Edward T Weber

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Bonita T. Moore

Chapter 13

Todd Warner	Represented By Edward T Weber
Capital Benefit, Inc.	Represented By Edward T Weber
Marcel Bruetsch	Represented By Edward T Weber
Polycomp Trust Company	Represented By Edward T Weber

Movant(s):

Marcel Bruetsch	Represented By Edward T Weber
Capital Benefit, Inc.	Represented By Edward T Weber
Todd Warner	Represented By Edward T Weber Edward T Weber
Joelynn Warner	Represented By Edward T Weber Edward T Weber
Polycomp Trust Company	Represented By Edward T Weber Edward T Weber
Vark Investments, LLC	Represented By Edward T Weber
Timothy J Wyman	Represented By Edward T Weber Edward T Weber
Karen J Wyman	Represented By Edward T Weber Edward T Weber

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Bonita T. Moore

Chapter 13

Plaintiff(s):

Monique Moore

Represented By
Walter H Hackett III

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:22-11001 Alan Rashkin

Chapter 7

Adv#: 9:23-01037 Namba v. Rashkin et al

#10.00 Status Hearing RE: [1] Adversary case 9:23-ap-01037. Complaint by Jerry Namba against Alan Rashkin, Rochelle Rashkin, Ellye B Rashkin. (\$350.00 Fee Charge To Estate). Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e))), (11 (Recovery of money/property - 542 turnover of property)), (12 (Recovery of money/property - 547 preference)), (13 (Recovery of money/property - 548 fraudulent transfer)) (Horowitz, Carissa)

Docket 1

Tentative Ruling:

September 13, 2023

Appearances required.

Pursuant to those *Adversary Proceeding Status Conference Procedures* (the "Procedures"), "[a] joint status report prepared using Local Form F_7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 2. "If a party does not cooperate in the preparation of a joint status report, the other party should follow the procedure set forth in this Court's Local Bankruptcy Rule 7016-1(a)(3) for filing unilateral status report." *Id.* "If a response to the complaint is not timely filed [n]o later than ten (10) days prior to the status conference, each appearing party must file a Unilateral Status Report [] as required by Local Bankruptcy Rule 7016-1(a)(3)." *Id.* "Failure to file a joint status report may result in the imposition of monetary sanctions and/or the status conference being continued." *Id.*

No joint or unilateral status reports have been filed by the plaintiff or defendant in this adversary proceeding as required by the Procedures. Both plaintiff and defendant have counsel. *See* Docket No. 4. The Court will continue the status conference to allow the plaintiff and defendant to comply with the Procedures, and will issue monetary sanctions for the failure to file a joint and/or unilateral status report(s) in conformance with the Procedures.

Party Information

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Alan Rashkin

Chapter 7

Debtor(s):

Alan Rashkin

Represented By
Haleh C Naimi

Defendant(s):

Alan Rashkin

Pro Se

Rochelle Rashkin

Pro Se

Ellye B Rashkin

Pro Se

Joint Debtor(s):

Rochelle Rashkin

Represented By
Haleh C Naimi

Plaintiff(s):

Jerry Namba

Represented By
Carissa N Horowitz

Trustee(s):

Jerry Namba (TR)

Represented By
Carissa N Horowitz

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10022 Edgar Augusto Meinhardt Iturbe

Chapter 13

Adv#: 9:23-01013 Meinhardt et al v. Sunny Acre LLC et al

#11.00 CONT'D Hearing
RE: [16] Motion for Remand Defendants' Motion for Remand; Declaration of
Jonathan Serrano in Support Thereof; and Exhibits

FR. 7-12-23, 8-9-23, 8-23-23

Docket 16

Tentative Ruling:

August 23, 2023

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

August 9, 2023

Appearances required.

July 12, 2023

Appearances waived.

The Court will continue this matter to August 9, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Edgar Augusto Meinhardt Iturbe

Pro Se

Defendant(s):

Sunny Acre LLC

Represented By
Jonathan Serrano

Tsasu LLC

Represented By

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Edgar Augusto Meinhardt Iturbe

Chapter 13

	Jonathan Serrano
Universal Commercial Capital	Represented By Lovee D Sarenas Jonathan Serrano
Eric Tran	Represented By Lovee D Sarenas Jonathan Serrano
Susan Lee	Represented By Lovee D Sarenas Jonathan Serrano
Leonard Hsu Jr.	Represented By Lovee D Sarenas Jonathan Serrano
Christopher XF Lee	Represented By Lovee D Sarenas Jonathan Serrano
DOES 4 through 25, Inclusive	Pro Se

Movant(s):

Christopher XF Lee	Represented By Lovee D Sarenas Jonathan Serrano
Leonard Hsu Jr.	Represented By Lovee D Sarenas Jonathan Serrano
Susan Lee	Represented By Lovee D Sarenas Jonathan Serrano
Sunny Acre LLC	Represented By Jonathan Serrano
Universal Commercial Capital	Represented By

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Edgar Augusto Meinhardt Iturbe

Chapter 13

Tsasu LLC

Lovee D Sarenas
Jonathan Serrano

Represented By
Jonathan Serrano

Eric Tran

Represented By
Lovee D Sarenas
Jonathan Serrano

Plaintiff(s):

Corp. Realty USA, LLC

Pro Se

Edgar A. Meinhardt

Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10022 Edgar Augusto Meinhardt Iturbe

Chapter 13

Adv#: 9:23-01013 Meinhardt et al v. Sunny Acre LLC et al

#12.00 CONT'D Status Hearing

RE: [1] Adversary case 9:23-ap-01013. Complaint by Edgar A. Meinhardt , Corp. Realty USA, LLC against Sunny Acre LLC , Tsasu LLC , Universal Commercial Capital , Eric Tran , Susan Lee , Leonard Hsu Jr., Christopher XF Lee , DOES 4 through 25, Inclusive . (\$350.00 Fee Not Required). (Attachments: # 1 Supplement Adversary Proceeding Cover Sheet) Nature of Suit: (14 (Recovery of money/property - other)) ,(21 (Validity, priority or extent of lien or other interest in property)) ,(91 (Declaratory judgment)) ,(01 (Determination of removed claim or cause))

FR. 6-14-23, 7-12-23, 8-9-23, 8-23-23

Docket 1

Tentative Ruling:

August 23, 2023

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

August 9, 2023

Appearances required.

July 12, 2023

Appearances waived.

The Court will continue this matter to August 9, 2023, at 10:00 a.m.

June 14, 2023

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Edgar Augusto Meinhardt Iturbe
Appearances waived.

Chapter 13

On May 11, 2023, Defendants filed *Defendants' Motion for Remand*, which is set for hearing on July 12, 2023. *See* Docket No. 16. The status conference is continued to July 12, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Edgar Augusto Meinhardt Iturbe	Pro Se
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Defendant(s):

Sunny Acre LLC	Pro Se
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Tsasu LLC	Pro Se
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Universal Commercial Capital	Pro Se
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Eric Tran	Pro Se
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Susan Lee	Pro Se
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Leonard Hsu Jr.	Pro Se
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Christopher XF Lee	Pro Se
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DOES 4 through 25, Inclusive	Pro Se
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Plaintiff(s):

Edgar A. Meinhardt	Pro Se
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Corp. Realty USA, LLC	Pro Se
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Trustee(s):

Elizabeth (ND) F Rojas (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10184 Stephanie Anne Buller

Chapter 7

Adv#: 9:23-01018 Buller v. U.S. Depart. of Education, Litigation Unit et al

#13.00 Status Hearing

RE: [1] Adversary case 9:23-ap-01018. Complaint by Stephanie Anne Buller, Stephanie Anne Buller, Stephanie Anne Buller, U.S. Depart. of Education, Litigation Unit against U.S. Depart. of Education, Litigation Unit, US Department of Education. (\$350.00 Fee Charge To Estate). Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)) (Grant, Karen)

FR. 7-12-23

Docket 1

***** VACATED *** REASON: Stipulated order entered 8-8-23. Hearing continued to November 8, 2023, at 10:00am.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephanie Anne Buller

Represented By
Karen L Grant

Defendant(s):

U.S. Depart. of Education, Litigation

Pro Se

US Department of Education

Pro Se

Plaintiff(s):

Stephanie Anne Buller

Represented By
Karen L Grant

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10186 Kristen Marie Armenta

Chapter 7

Adv#: 9:23-01022 Salgado v. Armenta

#14.00 CONT'D Hearing
RE: [8] Motion for Default Judgment

FR. 8-23-23

Docket 8

Tentative Ruling:

August 23, 2023

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Kristen Marie Armenta	Pro Se
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Defendant(s):

Kristen Marie Armenta	Pro Se
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Movant(s):

Nicholas Salgado	Represented By Sevan Gorginian
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Plaintiff(s):

Nicholas Salgado	Represented By Sevan Gorginian
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Trustee(s):

Jeremy W. Faith (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10186 Kristen Marie Armenta

Chapter 7

Adv#: 9:23-01022 Salgado v. Armenta

#15.00 CONT'D Status Hearing
RE: [1] Adversary case 9:23-ap-01022. Complaint by Nicholas Salgado against Kristen Marie Armenta. false pretenses, false representation, actual fraud)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)), (41 (Objection / revocation of discharge - 727(c),(d),(e))) (Gorginian, Sevan)

FR. 8-23-23

Docket 1

Tentative Ruling:

August 23, 2023

Appearances waived.

This matter is continued to September 13, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Kristen Marie Armenta	Pro Se
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Defendant(s):

Kristen Marie Armenta	Pro Se
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Plaintiff(s):

Nicholas Salgado	Represented By Sevan Gorginian
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Trustee(s):

Jeremy W. Faith (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10275 Nick Sklavenitis

Chapter 13

Adv#: 9:23-01020 Miracle Mile Properties, LP v. Sklavenitis et al

#16.00 CONT'D Status Hearing
RE: [1] Adversary case 9:23-ap-01020. Complaint by Miracle Mile Properties, LP against Nick Sklavenitis, Maria Sklavenitis, Kostas Kapnisis. false pretenses, false representation, actual fraud)),(51 (Revocation of confirmation)),(41 (Objection / revocation of discharge - 727(c),(d),(e))) (Cordero-Sack, Ada)

FR. 8-9-23

Docket 1

Tentative Ruling:

September 13, 2023

Appearances waived.

The status conference is continued to October 11, 2023, at 10:00 a.m.

August 9, 2023

Appearances required.

Party Information

Debtor(s):

Nick Sklavenitis

Represented By
Steven Abraham Wolvek

Defendant(s):

Nick Sklavenitis

Pro Se

Maria Sklavenitis

Pro Se

Kostas Kapnisis

Pro Se

DOES 1 to 50, inclusive

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

CONT... Nick Sklavenitis

Chapter 13

Joint Debtor(s):

Maria Sklavenitis

Represented By
Steven Abraham Wolvek

Plaintiff(s):

Miracle Mile Properties, LP

Represented By
Ada R Cordero-Sack

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10425 Eric Francisco Bruget

Chapter 13

Adv#: 9:23-01052 Kimberlina Whettam & Associates v. Bruget

#17.00 HearingRE: [7] Motion to Dismiss Adversary Proceeding Notice of Motion and Motion By Defendant To Strike Demand for Treble Damages, Attorney Fees and To Dismiss Second Claim for Relief, Declaration of Michael Chekian, Esq.

Docket 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Francisco Bruget

Represented By
Michael F Chekian

Defendant(s):

Eric Francisco Bruget

Represented By
Michael F Chekian

Movant(s):

Eric Francisco Bruget

Represented By
Michael F Chekian

Plaintiff(s):

Kimberlina Whettam & Associates

Represented By
Robert Ezra

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

10:00 AM

9:23-10425 Eric Francisco Bruget

Chapter 13

Adv#: 9:23-01052 Kimberlina Whettam & Associates, Inc. v. Bruget

#18.00 Status Hearing RE: [1] Adversary case 9:23-ap-01052. Complaint by Kimberlina Whettam & Associates, Inc. against Eric Francisco Bruget. willful and malicious injury)) (Ezra, Robert)

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Francisco Bruget

Represented By
Michael F Chekian

Defendant(s):

Eric Francisco Bruget

Pro Se

Plaintiff(s):

Kimberlina Whettam & Associates,

Represented By
Robert Ezra

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10195 Curtis J. Daley

Chapter 7

#19.00 CONT'D Hearing
RE: [24] Reaffirmation Agreement Between Debtor and Nissan Motor
Acceptance Company LLC fka Nissan Motor Acceptance Corporation

FR. 8-9-23

Docket 24

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Curtis J. Daley

Represented By
Brian Nomi

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10195 Curtis J. Daley

Chapter 7

#20.00 CONT'D Hearing
RE: [27] Reaffirmation Agreement Between Debtor and Fifth Third Bank N.A.

FR. 8-9-23

Docket 27

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Curtis J. Daley

Represented By
Brian Nomi

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10195 Curtis J. Daley

Chapter 7

#21.00 CONT'D Hearing
RE: [35] Reaffirmation Agreement Between Debtor and WESCOM CENTRAL
CREDIT UNION

FR. 8-9-23

Docket 35

Tentative Ruling:

September 13, 2023

No appearance required.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R. 559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Curtis J. Daley

Represented By
Brian Nomi

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10350 Wendy Lyn Babcock

Chapter 7

#22.00 Reaffirmation Hearing Date Set RE: [10] Reaffirmation Agreement Between Debtor and
Ventura County Credit Union

Docket 10

Tentative Ruling:

September 13, 2023

Appearance waived.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R.
559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Wendy Lyn Babcock

Represented By
Steven A Alpert

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10364 Arthur Blanco

Chapter 7

#23.00 Reaffirmation Hearing Date SetRE: [12] Pro se Reaffirmation Agreement Between Debtor and Carvana, LLC

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Arthur Blanco

Represented By
Michael B Clayton

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10376 Donald Kent Bergthold and Candace Dawn Morrison

Chapter 7

#24.00 Reaffirmation Hearing Date Set RE: [11] Reaffirmation Agreement Between Debtor and Pentagon Federal Credit Union

Docket 11

Tentative Ruling:

September 13, 2023

Appearance waived.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R. 559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Donald Kent Bergthold

Represented By
Daniel A Higson

Joint Debtor(s):

Candace Dawn Morrison

Represented By
Daniel A Higson

Trustee(s):

Sandra McBeth (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10388 Jacqueline Marie Jolicoeur

Chapter 7

#25.00 Reaffirmation Hearing Date Set RE: [11] Reaffirmation Agreement Between Debtor and Home Point Financial Corporation

Docket 11

Tentative Ruling:

September 13, 2023

Appearances waived.

Court approval of the agreement is not required to reaffirm a consumer debt secured by real property. *See* 11 U.S.C. § 524(c)(6)(B); *see also In re Grisham*, 436 B.R. 896, 905 n.6 (Bankr. N.D. Tex. 2010) (citing 4 COLLIER ON BANKRUPTCY ¶ 524.04, pp. 524–41 (16th ed. 2009)); *see also In re Rhodes*, 635 B.R. 849, 859-860 (Bankr. S.D. Cal. 2021) (citations omitted).

Party Information

Debtor(s):

Jacqueline Marie Jolicoeur

Represented By

Adele M Schneidereit

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10404 Michael Daniel Ortiz and Kimberly Amber Ortiz

Chapter 7

#26.00 Reaffirmation Hearing Date Set RE: [12] Reaffirmation Agreement Between Debtor and Lendmark Financial Services

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Daniel Ortiz

Represented By
Daniel A Higson

Joint Debtor(s):

Kimberly Amber Ortiz

Represented By
Daniel A Higson

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10404 Michael Daniel Ortiz and Kimberly Amber Ortiz

Chapter 7

#27.00 Reaffirmation Hearing Date Set RE: [14] Pro se Reaffirmation Agreement Between
Debtor and Ventura County Credit Union

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Daniel Ortiz

Represented By
Daniel A Higson

Joint Debtor(s):

Kimberly Amber Ortiz

Represented By
Daniel A Higson

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10404 Michael Daniel Ortiz and Kimberly Amber Ortiz

Chapter 7

#28.00 Reaffirmation Hearing Date Set RE: [15] Pro se Reaffirmation Agreement Between Debtor and Ventura County Credit Union

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Daniel Ortiz

Represented By
Daniel A Higson

Joint Debtor(s):

Kimberly Amber Ortiz

Represented By
Daniel A Higson

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10468 Michael Lee Johnson

Chapter 7

#29.00 Reaffirmation Hearing Date Set RE: [11] Pro se Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc.

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Lee Johnson

Represented By
Daniel A Higson

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10468 Michael Lee Johnson

Chapter 7

#30.00 Reaffirmation Hearing Date Set RE: [14] Pro se Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Lee Johnson

Represented By
Daniel A Higson

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10472 Nicolette L. Reason

Chapter 7

#31.00 Reaffirmation Hearing Date Set RE: [8] Reaffirmation Agreement Between Debtor and Logix Federal Credit Union (Espinoza, Cesar)

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicolette L. Reason

Represented By
Brent D George

Trustee(s):

Sandra McBeth (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10504 Noemi Lopez Diaz

Chapter 7

#32.00 Reaffirmation Hearing Date Set RE: [12] Pro se Reaffirmation Agreement Between Debtor and U.S. Bank National Association

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Noemi Lopez Diaz

Pro Se

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10528 Ofelia Estela Zaragoza Guzman

Chapter 7

#33.00 Reaffirmation Hearing Date SetRE: [10] Pro se Reaffirmation Agreement Between
Debtor and CoastHills Credit Union

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ofelia Estela Zaragoza Guzman

Represented By
Michael B Clayton

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

11:00 AM

9:23-10549 Michelle Lee Terry

Chapter 7

#34.00 Reaffirmation Hearing Date Set RE: [10] Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

September 13, 2023

Appearances waived.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R. 559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Michelle Lee Terry

Represented By
Leslie A Tos

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar**

Wednesday, September 13, 2023

Hearing Room 201

2:00 PM

9:23-10607 Beacon Coffee Company, Inc.

Chapter 11

**#35.00 Chapter 11 Status Conference
(RE Chapter 11 Subchapter V Non-Individual)**

Docket 1

Tentative Ruling:

September 13, 2023

Appearances required.

Party Information

Debtor(s):

Beacon Coffee Company, Inc.

Represented By
William C Beall